



**DEPARTMENT OF PUBLIC SAFETY
POLICIES & PROCEDURES**



POLICY NUMBER

OPR:05

**EFFECTIVE
DATE:**

04/20/2012

**ORIGINAL
ISSUED ON:**

01/30/1989

**SUBJECT: HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER
FORCIBLE STOPS**

REVISION NO:

4

1.0 PURPOSE

It is the purpose of this policy to establish specific guidelines for the use of the Hollow Spike Belt, Stop Sticks and Forcible Stops.

2.0 POLICY

It is the policy of the DPS to ensure that employees have specific guidance when confronted with a situation that justifies the use of Hollow Spike Belts, Stop Sticks, the P.I.T. Maneuver or other forcible stopping techniques. The proper use of the Hollow Spike Belt, Stop Stick and P.I.T. Maneuvers below 35 miles per hour will provide officers with a readily accessible method to effectively and quickly immobilize fleeing vehicles. Roadblocks, P.I.T. Maneuvers above 35 miles per hour and other forcible stopping techniques are to be used as a last resort when the use of deadly force is justified.

3.0 APPLICABILITY

This policy is applicable to all commissioned officers of the Department of Public Safety.

4.0 REFERENCES

NONE

5.0 DEFINITIONS

- A. Administrative Review** – A documented review of an incident or occurrence prepared by or for the chief or his/her designee. The review should indicate whether policy, training, equipment, or disciplinary issues should be addressed.
- B. Fleeing Suspects/Vehicle** – A vehicle driven by an individual whose obvious intent, based on the driver's actions, is to avoid apprehension by a law enforcement officer who is in lawful pursuit.
- C. Hollow Spike Belt and Stop Stick** – Law enforcement devices that quickly puncture and deflate tires of fleeing vehicles. They are designed to be deployed across the roadway so that when a vehicle drives over them, the hollow spikes penetrate the tire and break loose from the device or the stop stick housing unit, causing the tire to deflate.
- D. Class "C" Roadblock** – A physical blockage of a roadway, which prohibits any avenue of escape upon the roadway, with material or equipment sufficient for, and with the purpose of stopping an individual posing an immediate threat of great bodily injury or death to officers, other motorists, or pedestrians. State owned equipment shall be used for this technique. Privately owned material or equipment may only be used as a last resort in an immediate emergency situation. A Class "C" Roadblock is considered deadly force and is not to be used unless the elements of deadly force are present; specifically, when immediate action is required to stop an individual posing an

HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER FORCIBLE STOPS

immediate threat of great bodily injury or death to officers, other motorists, or pedestrians.

- E. Pursuit Intervention Technique (P.I.T. Maneuver)** – A technique used by certified P.I.T. officer(s) to forcibly stop a suspect vehicle by utilizing their patrol vehicle. The forced stop occurs when the pursuing officer makes contact with the side of a suspect's vehicle, causing the suspect's vehicle to rotate into a stopped position.

Clarification
Added

6.0 PROCEDURE

A. Hollow Spike Belt and Stop Sticks

1. Hollow Spike Belts and Stop Sticks may be deployed under the following circumstances, including but not limited to:
 - a. When a driver whose actions suggest an obvious intent to avoid apprehension by a law enforcement officer who is in lawful pursuit, or
 - b. To prevent a stopped vehicle from leaving the immediate area when, if allowed to leave the vehicle or driver could pose an imminent threat to law enforcement officers or the public, or
 - c. In those instances when an officer deems the deployment of the hollow spike belt and/or stop stick would safeguard the public.

2. Procedures for Implementation

- a. Officer Responsibilities

The primary pursuit officer shall make reasonable attempts to obtain authorization from a supervisor prior to deploying. The primary pursuit officer will describe the circumstances justifying the deployment of the Hollow Spike Belt and/or Stop Stick to the supervisor. If reasonable attempts to contact a supervisor fail, and the urgency of the situation requires immediate action any officer can deploy the Hollow Spike Belt or Stop Stick.

Supervisory authorization is not required when an officer is deploying the Hollow Spike Belt or Stop Sticks in order to prevent a stopped vehicle from leaving the immediate area.

1. Officer shall make reasonable attempts to ensure that oncoming traffic has been stopped a safe distance from the deployment site before deploying the Hollow Spike Belt or Stop Stick on a two lane roadway.
 2. Position the Hollow Spike Belt or Stop Stick in a location that allows a clear view of approaching traffic, and preferably, includes physical barriers such as bridges or guard rails. Notify the pursuing officer of the location where the deflating device has been positioned.
 3. If possible, allow for a one-mile line of sight (in both directions), which should provide adequate time to observe the suspect vehicle.
 4. If physical barriers are present, position officer(s) and unit(s) at the roadblock location, in accordance with the attached diagram.
 5. If physical barriers are not present, position two (2) patrol units, one on each side of the roadway at a 45 degree angle facing away from the approaching fleeing vehicle (not necessary with the stop stick, but preferable), to guide the vehicle over the desired route (see attached illustration).

HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER FORCIBLE STOPS

6. Use an additional unit, when available, to take a position one mile down-road in order to stop oncoming traffic and to serve as the apprehending unit.
 7. In the event that only one officer is available to establish the roadblock and deploy the Hollow Spike Belt or Stop Stick, the pursuing officer will serve as the apprehending unit.
 8. Every effort should be made to avoid deploying the Hollow Spike Belt or Stop Sticks in a manner that could damage the tires of an uninvolved vehicle.
- b. Supervisor Responsibilities
1. The supervisor will identify and assign available officers to respond and support the operation.
 2. The supervisor will determine an intercept location that will allow sufficient time for the arrival of support officers and the positioning of the Hollow Spike Belt or Stop Sticks.
 3. The supervisor will coordinate transportation of the Hollow Spike Belt to the intercept location (the Stop Sticks should be available in every unit).
 4. The supervisor will coordinate the request for additional resources and/or alerts to law enforcement agencies in adjacent jurisdictions.
- c. Hollow Spike Belt only
1. Prepare the Hollow Spike Belt for deployment off the roadway. This entails removing it from the case and stretching the device out in a readiness position at the side of the roadway. The spike angle should be aimed in the direction of the approaching suspect vehicle.
 2. A rope is provided to drag the Hollow Spike Belt across the roadway and into position **(do not wrap the rope around any part of the body when deploying the deflating device)**. Relying on observation and communication between the officer(s) involved, rapidly deploy the device across the roadway, once it has been determined that there is little chance other vehicles will be affected by the deployment.
- d. Stop Sticks Only
1. The three foot Stop Sticks may be placed into the fabric sleeve, or connected with the interlocking joints (9 foot total), and used to cover a lane of traffic. The pull cord should be used when possible. **Do not wrap the cord around any part of the body when deploying the deflating device.**
 2. A Stop Sticks joint may be used individually when time does not permit an officer to join the stop sticks together. The officer may toss the Stop Sticks in front of the path of the fleeing suspect vehicle.
 3. A Stop Sticks joint may be placed in front of a parked suspect vehicle's tire to disable the vehicle in case it attempts to flee.
- e. Hollow Spike Belts and Stop Sticks shall not be used on a motorcycle unless the application of deadly force would be authorized pursuant to *OPR:01 Use of Force*.
- f. The Hollow Spike Belt and Stop Sticks may be used on any road surface, but is most effective on a paved surface.

HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER FORCIBLE STOPS

- g. The primary pursuit officer will prepare to reduce speed or stop prior to reaching the deployment point in order to allow the assigned officer an opportunity to remove the Hollow Spike Belt or Stop Sticks from the roadway.
- h. The assigned officer will remove the Hollow Spike Belt or Stop Sticks once the suspect vehicle has cleared the Hollow Spike Belt or Stop Sticks.
- i. The apprehending officer will approach the disabled suspect vehicle in a manner consistent with a felony stop.
- j. The primary officer will complete a Pursuit Recap Form if the Hollow Spike Belt or Stop Sticks was deployed in conjunction with a vehicular pursuit (refer to OPR:08 *Vehicular Pursuit*).

B. P.I.T. Maneuvers(above 35 MPH), Other Forcible Stops and Class “C” Roadblocks

- 1. P.I.T. Maneuvers above 35 miles per hour, other forcible stops and Class “C” roadblocks may be deployed **ONLY** when deadly force would be authorized under department policy and state law.

Clarification
Added

2. Procedure for Implementation – Class “C” Roadblocks

a. Officer Responsibilities

- 1. Officers shall make reasonable attempts to obtain authorization from a supervisor prior to deploying Class “C” roadblocks.
- 2. The pursuing officer shall provide a thorough description of the suspect(s) and suspect vehicle for proper identification.
- 3. Assisting officer(s) shall make reasonable attempts to stop and/or detour traffic from the area of the Class “C” roadblock in order to ensure safety of the motoring public.
- 4. Once the suspect vehicle is stopped, the apprehending officer will address the disabled suspect vehicle in a manner consistent with a felony stop.
- 5. Officers shall make a determination as to what type of equipment, material or physical blockage to use to prohibit any avenue of escape and to most effectively stop the individual.
- 6. Officers shall request and coordinate placement of the physical blockage in such a manner as to be most effective with the least potential to affect uninvolved vehicles/persons.

b. Supervisor Responsibilities

- 1. The supervisor shall evaluate whether or not the officer is justified in the use of deadly force and provide authorization, if applicable.
- 2. The supervisor shall identify and assign available officers to respond and support the operation.
- 3. The supervisor shall identify an intercept location that will allow sufficient time for the arrival of support officers and the positioning of the Class “C” roadblock. Time permitting, reasonable attempts shall be made to stage other resources to assist, e.g. medical and fire personnel.
- 4. The supervisor/officer(s) responsible for setting up the Class “C” roadblock will conduct a site assessment in order to determine what type of equipment, material, device, etc. will be used for blocking the roadway.

HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER FORCIBLE STOPS

5. The supervisor shall coordinate the request for additional resources and/or alerts to law enforcement agencies in adjacent jurisdictions.
 6. Once there has been a use of deadly force, the supervisor will notify the chain of command and the criminal investigations section to provide a timely briefing.
 7. The District/Section/Bureau Commander will conduct a debriefing of the incident within three working days.
- c. Officers shall treat the location of the Class "C" roadblock as a crime scene in accordance with appropriate department policies.
 - d. The state police Criminal Investigations Section shall conduct the investigation into the use of a Class "C" roadblock when the roadblock resulted in an actual *use of force* instead of a *show of force*.

Example: A Class "C" roadblock is set up to stop a vehicle and the driver stops the vehicle prior to contacting any equipment, etc., the application would not be a use of force, but rather a show of force. Consequently, the Criminal Investigations Section would not have to conduct the investigation into the incident.

3. Procedure for Implementation – Forcible Stops

a. Officer Responsibilities

1. Officers shall make reasonable attempts to obtain authorization from a supervisor prior to deploying a forcible stop technique.
2. Officers shall make reasonable attempts to identify a location where carrying out a forcible stop would have the highest probability for successfully stopping the vehicle as well as providing the least probability for injuries to the officer(s), suspect, bystanders or damage to other property.
3. Officers shall use their police vehicle in a controlled manner to contact the suspect vehicle with sufficient force to render the vehicle inoperable or to cause the driver to lose control of his/her vehicle.
4. Once the suspect vehicle is stopped, the apprehending officer will address the disabled suspect vehicle in a manner consistent with a felony stop.

b. Supervisor Responsibilities

1. The supervisor shall evaluate whether or not the officer is justified in the use of deadly force and provide authorization, if applicable.
2. If available, the supervisor will identify and assign available officers to respond and support the operation.
3. The supervisor shall identify an intercept location that will allow sufficient time for the arrival of support officers. Time permitting, reasonable attempts shall be made to stage other resources to assist, e.g. medical and fire personnel.
4. The supervisor shall coordinate the request for additional resources and/or alerts to law enforcement agencies in adjacent jurisdictions.

HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER FORCIBLE STOPS


- c. Officers shall treat the location of the forcible stop as a crime scene in accordance with appropriate department policies.
- d. The state police Investigations Bureau shall conduct the investigation into the use of a P.I.T. Maneuver or other forcible stop which results in significant property damage and/or great bodily harm.

▲ C. P.I.T. Maneuver (below 35 MPH)

- 1. The Department of Public Safety shall utilize the P.I.T. Maneuver as an acceptable method of terminating a pursuit. The decision to utilize the tactic shall be based upon the judgment of the officer and/or supervisor and the guidelines outlined in this policy.
- 2. Utilization of the P.I.T. Maneuver will be in accordance with Departmental training and policy. Officers will be trained and certified in the use of this technique prior to its use.
- 3. The P.I.T. Maneuver shall be considered less-than-lethal at speeds below 35 miles per hour and deadly force at speeds greater than 35 miles per hour.
- 4. Procedure for Implementation – P.I.T. Maneuver
 - a. Officer Responsibilities
 - 1. Officers shall determine the level of force required and if force is objectively reasonable prior to using the P.I.T. Maneuver, refer to **OPR: 01 Use of Force**.
 - 2. Officers shall make reasonable attempts to obtain authorization from a supervisor prior to using the P.I.T. Maneuver.
 - 3. The pursuing officer shall provide a thorough description of the suspect(s), suspect vehicle for proper identification, pursuit speed, pursuit location, weather conditions and road conditions.
 - 4. Assisting officer(s) shall make reasonable attempts to stop and/or detour traffic from the area of the P.I.T. Maneuver in order to ensure safety of the motoring public.
 - 5. Once the suspect vehicle is stopped, the apprehending officer will address the stopped suspect vehicle in a manner consistent with a felony stop.
 - b. Supervisor Responsibilities
 - 1. The supervisor shall evaluate whether or not the officer is justified in the use of the P.I.T. Maneuver and what level of force is required.
 - 2. The supervisor shall identify and assign available officers to respond and support the operation.
 - 3. If practicable, the supervisor shall identify a location that will allow sufficient time for the arrival of support officers and proper staging for the application of the P.I.T. Maneuver. Time permitting, reasonable attempts shall be made to stage other resources to assist, e.g. medical and fire personnel.
 - 4. The supervisor shall coordinate the request for additional resources and/or alerts to law enforcement agencies in adjacent jurisdictions.

Clarification
Added

HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER FORCIBLE STOPS

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5. If there has been a use of deadly force, the supervisor will notify the chain of command and the investigations bureau to provide a timely briefing.
- c. Officers shall treat the location of the P.I.T. Maneuver as a crime scene in accordance with appropriate department policies.
 - d. The state police Investigations Bureau shall conduct the investigation into the use of the P.I.T. Maneuver when the incident resulted in an actual *use of deadly force*.
5. The tactic shall not be utilized to stop the following vehicles unless the continued movement of the pursued vehicle would result in a serious hazard to others and the use of deadly force exists.
- a. Any vehicle known to be transporting a hazardous material as defined in NMSA 1978 section (66-1-4.8)
 - b. Any passenger bus, school bus, or van that is known to be transporting passengers.
 - c. Any high profile vehicles.
 - d. Vehicles which are significantly larger than the patrol vehicle.
 - e. Motorcycles, ATVs and scooters.
6. Geographic configurations and road conditions shall be considered to reduce the risk of injury to offender(s) or the public. The safety of the motoring public and pedestrians shall be a major consideration.
7. The primary officer will advise the secondary officer that the P.I.T. Maneuver will be used and to prepare for a felony stop and containment.
8. There shall not be a required minimum number of officers, but it is recommended that two officers be present should a felony stop or containment be needed.
9. Felony stop procedures shall be followed in all instances where the P.I.T. Maneuver is successful and the offending vehicle is stopped.
10. Other use of force tactics that are considered lower on the use of force model will be considered prior to using the P.I.T. Maneuver.

Clarification
Added

D. Required Training

Officers may NOT utilize Hollow Spike Belts, Stop Sticks, Class "C" roadblocks, a P.I.T. Maneuver or other forcible stopping techniques without receiving documented departmental training on such techniques.

- 1. P.I.T. Maneuver Training:
 - a. Initial 8 hour course of instruction by the Training and Recruiting Bureau.
 - b. An annual 4 hour refresher training by the Training and Recruiting Bureau.

E. Reporting

- 1. Officers deploying the Hollow Spike Belts, Stop Sticks, Class "C" roadblocks and forcible stops shall complete an offense incident report or offense incident

HOLLOW SPIKE BELT, STOP STICKS, P.I.T. AND OTHER FORCIBLE STOPS

supplemental report in the case of a pursuit when they are not the primary pursuit officer. However, when deadly force is used, the reporting requirements of Department policy *OPR: 29, Investigation of Use of Deadly Force Incidents*, will supersede the reporting requirement of this policy.

Officers deploying Hollow Spike Belts or Stop Sticks solely to prevent a stopped vehicle from leaving the immediate area are not required to complete an offense incident report form unless the vehicle contacts the Hollow Spike Belts or Stop Sticks.

Clarification
Added

2. Officers deploying a Class "C" roadblock, P.I.T. Maneuver and/or other forcible stopping techniques shall complete a Use of Force form pursuant to Department policy *OPR: 01 Use of Force*. All completed forms must be submitted to a supervisor for review. The use of force shall also be reported to a supervisor as soon as practical after the incident.
3. Supervisors shall complete the supervisory portion of the Use of Force Report form and forward it to the district commander through his/her chain of command. The reviewing supervisor must make a determination of whether or not the use of force was within department policy and indicate his/her answer in the appropriate box. The district commander is responsible for ensuring that all use of force documents are reviewed and forwarded to the Training and Recruiting Bureau commander within five (5) days of the completion of the reports.

F. Administrative Review

1. In conjunction with Department policy *OPR: 01 Use of Force*, the Training and Recruiting Bureau commander is responsible for completing an annual documented analysis of all use of force documentation. The analysis shall minimally focus on: patterns or trends that could indicate training needs; need for equipment upgrades; and/or need for policy modifications.
2. The Training and Recruiting Bureau commander shall complete a report detailing the use of force analysis and forward it to the Office of the Chief no later than the last day of January, following the year being analyzed.
3. In addition to the annual analysis conducted by the Training and Recruiting Bureau commander, the District/Section/Bureau commander shall conduct a documented administrative review of each such incident for purposes of identifying patterns or trends that could indicate training needs; need for equipment upgrades; and/or need for policy modifications. Documentation resulting from the administrative review shall be forwarded to the Office of the Chief, through the appropriate chain of command.

7.0 ATTACHMENTS:

A. Diagram

8.0 APPROVAL

APPROVED BY: s/ Gorden E. Eden Jr.
DPS Cabinet Secretary

DATE: April 20, 2012

Attachment A

